

**NEWPORT BEACH HARBOR COMMISSION STUDY SESSION MEETING MINUTES**  
**City Council Chambers**  
**Wednesday, March 13, 2013**  
**4:30 p.m.**

**1) CALL MEETING TO ORDER**

The meeting was called to order at 4:30 p.m.

**2) ROLL CALL**

Commissioners: Doug West, Chair  
Brad Avery  
Paul Blank  
David Girling  
Duncan McIntosh  
Karen Rhyne

Absent (Excused): Ralph Rodheim

Staff Members: Chris Miller, Harbor Resources Manager  
Shannon Levin, Harbor Resources Supervisor  
Jaime Murillo, Associate Planner

Council Liaison: Council Member Nancy Gardner

**3) PUBLIC COMMENTS**

Chair West invited those interested in addressing the Commission to do so at this time. There was no response and Chair West closed the Public Comments section of the meeting.

**4) CURRENT BUSINESS**

**1. *Lower Castaways – A Discussion on the Future of this City Owned Property***

The Lower Castaways, located on the corner of W. Coast Highway and Dover Drive, is the last undeveloped City owned waterfront property in Newport Harbor. The Harbor Commission is initiating the discovery process which will look at the future of this property, and the various uses which could benefit the entire community, both from a landside and waterside perspective. Harbor Commissioner David Girling and the Lower Castaways subcommittee will present their initial research on the property, and will request input from the public during this discovery process.

Chair West introduced the aforementioned item addressed the subcommittee and deferred to Commissioner Girling for a report.

Commissioner Girling thanked those in attendance and noted Council's approval of the Harbor Commission's objectives for fiscal year 2012/2013. One of the objectives involves the subject item and reported the intention of this being a public-oriented process. Once viable options for the property have been identified, they will be submitted to Council for their consideration. He reported that the parcel was previously deeded to the City by the Irvine Company and that a commercial marina is a prohibited use under the agreement. The property is currently zoned for a commercial marina and will therefore need to go through a process for re-zoning. He introduced Associate Planner Jaime Murillo and deferred to him for a report.

Mr. Murillo presented details of the report addressing location, background, surrounding land uses, existing conditions and uses, existing easements and applicable land-use regulations including the General Plan, Coastal Land-Use Plan, Deed Restrictions and Covenants and Zoning. He explained the provisions, uses

and development limits under each of the latter. He addressed CEQA considerations, access considerations and easements.

Commissioner Girling noted three challenges related to the project including the traffic on Dover, the re-zoning process and the water current around the bulkhead. He presented ideas that have been proposed including bringing back the Wil Wright's Ice Cream Parlor, a boat launch, an emergency or limited boat launch, development of a hub for hiking, biking and boating and outdoor activities, a public pier, boat storage, a community garden, staging and overflow parking and launch area for a water-tax system.

Interested parties were invited to address the Commission on the item.

Gordon Glass presented a brief history of the parcel noting that it was the original Newport Landing. He reported that along with the Wil Wright's Ice Cream Parlor, there existed a trailer park. He suggested that the City allow Dennis Holland to use one of the tennis courts at Marina Park or the Lower Castaways parcel to continue building the Shawnee on a temporary basis.

Don Rypinski recommended that Dennis Holland be allowed to build the Shawnee at Lower Castaways as an interim use. He reported that Mr. Holland built the Pilgrim that is now located at Dana Point.

Dan Mariscal suggested developing a Clean Water Camp on the Lower Castaways parcel. The concept would allow volunteers to participate in clean-up projects for the beaches and the bay.

Jim Mosher hoped that the PowerPoint presentation would be posted on the City's website, wondered regarding the history of the deed and its restrictions and suggested that an updated copy be posted on the City's website. He wondered about the retention of an easement for cell phone operations. It was noted that in the grant deed, there is an easement related to cell phone transmission operations. Mr. Murillo reported the easement would allow for the Irvine Company to authorize installation, operation or maintenance of cellular operations, electronic data or telecommunication facilities. Any such use would need to be reviewed and approved by the City.

Garry Brown, Founder of Orange County Coast Keeper, a non-profit organization within the City, listed the organization's activities and efforts including growing kelp, eelgrass and green abalone. Relative to the Lower Castaways, he suggested the development of a Marine Research and Education Center with a marine laboratory and demonstration garden.

Len Bose, Huntington Beach, felt that the best use for the area would be a launch ramp, a dry storage facility, a marine recycling center for waste disposal and leaving space for marine commercial operations.

Billy Whitford, Director of Newport Aquatics Center, reported that there is minimal current in the area and referenced a previous deployment of the log boom noting that it was not very productive. He felt that any opportunity including a docking or mooring facility would be acceptable, a human-powered craft launch, a pedal, paddle walking park with connections to the Upper and Lower Castaways, a launch for hand launching boats or development of a restaurant (The Castaways).

There being no others wishing to address the Commission, Chair West closed public comments for this item.

Commissioner Girling reported on the importance of engaging the Parks, Beaches and Recreation Commission on this project. He stated that he recently briefed the PB&R Commission on the Harbor Commission's consideration and they were appreciative of being included. There were no ideas generated, but they will be involved in future discussions regarding the matter.

Commissioner Avery acknowledged that the site could be well-served by all of the ideas and uses suggested by the public. He addressed the possibility of leasing multiple spots for the various activities for specific periods of time as well as areas serving as a hub/base for other outdoor uses, including a combination of recreational and environmental uses.

Discussion followed regarding whether dry-stack marinas are considered commercial marinas.

Council Member Gardner stated that the issue could be clarified by the City Attorney's office and felt that the ingress and egress will be an important element to consider.

**5) ADJOURNMENT**

There being no further business to come before the Harbor Commission, the meeting was adjourned at 5:46 p.m.

A handwritten signature in blue ink, appearing to be 'M. West', is written across the page.

